

MICHAEL LEHNERS, ESQ.  
429 Marsh Ave.  
Reno, Nevada 89509  
Nevada Bar Number 003331  
(775) 786-1695  
email michaellehners@yahoo.com  
Attorney for Debtor/Defendants

*Eng 6/22/15*

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

oOo

IN RE

BK-N- 14-50333-BTB

ANTHONY THOMAS and WENDI  
THOMAS,

[Lead Case Jointly Administered]

Debtor(s).

Adv. No. 14-5067-BTB

JOHN BEACH, as Trustee of the Beach  
Living Trust Dated January 22, 1999

ANSWER

Plaintiff

vs.

ANTHONY THOMAS and WENDI  
THOMAS,

Defendants

COMES NOW Defendants above named by and through undersigned counsel and file the following answer to the Plaintiff's complaint on file herein.

1. With respect to paragraph 1 of the Plaintiff's complaint, the Defendants are without knowledge and deny the allegations contained therein.

2. With respect to paragraph 2 of the Plaintiff's complaint, the Defendants admit the allegations contained therein.

3. With respect to paragraph 3 of the Plaintiff's complaint, the Defendants deny the allegations contained therein.

4. With respect to paragraph 4 of the Plaintiff's complaint, the Defendants admit the allegations contained therein.

1           5.       With respect to paragraph 5 of the Plaintiff's complaint, the Defendants deny the  
2 Plaintiff is a creditor but deny all other allegations contained therein.

3           6.       With respect to paragraph 6 of the Plaintiff's complaint, the Defendants admit the  
4 allegations contained therein.

5           7.       With respect to paragraph 7 of the Plaintiff's complaint, the Defendants admit the  
6 allegations contained therein.

7           8.       With respect to paragraph 8 of the Plaintiff's complaint, the Defendants deny the  
8 allegations contained therein.

9           9.       With respect to paragraph 9 of the Plaintiff's complaint, the Defendants admit the  
10 allegations contained therein.

11          10.       With respect to paragraph 10 of the Plaintiff's complaint, the Defendants admit  
12 the allegations contained therein.

13          11.       With respect to paragraph 11 of the Plaintiff's complaint, the Defendants admit  
14 the allegations contained therein.

15          12.       With respect to paragraph 12 of the Plaintiff's complaint, the Defendants admit  
16 they had communications with the Plaintiff, but deny all other allegations contained therein.

17          13.       With respect to paragraph 13 of the Plaintiff's complaint, the Defendants admit  
18 they had communications with the Plaintiff, but deny all other allegations contained therein.

19          14.       With respect to paragraph 14 of the Plaintiff's complaint, the Defendants deny  
20 the allegations contained therein.

21          15.       With respect to paragraph 15 of the Plaintiff's complaint, the Defendants deny  
22 the allegations contained therein.

23          16.       With respect to paragraph 16 of the Plaintiff's complaint, the Defendants deny  
24 the allegations contained therein.

25          17.       With respect to paragraph 17 of the Plaintiff's complaint, the Defendants deny  
26 the allegations contained therein.

1           18. With respect to paragraph 18 of the Plaintiff's complaint, the Defendants deny  
2 the allegations contained therein.

3           19. With respect to paragraph 19 of the Plaintiff's complaint, the Defendants deny  
4 the allegations contained therein.

5           20. With respect to paragraph 20 of the Plaintiff's complaint, the Defendants deny  
6 the allegations contained therein.

7           21. With respect to paragraph 21 of the Plaintiff's complaint, the Defendants deny  
8 the allegations contained therein.

9           22. With respect to paragraph 22 of the Plaintiff's complaint, the Defendants deny  
10 the allegations contained therein.

11           23. With respect to paragraph 23 of the Plaintiff's complaint, the Defendants deny  
12 the allegations contained therein.

13           24. With respect to paragraph 24 of the Plaintiff's complaint, the Defendants deny  
14 the allegations contained therein as the schedules speak for themselves.

15           25. With respect to paragraph 25 of the Plaintiff's complaint, the Defendants deny  
16 the allegations contained therein as the schedules speak for themselves.

17           26. With respect to paragraph 26 of the Plaintiff's complaint, the Defendants deny  
18 the allegations contained therein.

19           27. With respect to paragraph 27 of the Plaintiff's complaint, the Defendants deny  
20 the allegations contained therein.

21           28. With respect to paragraph 28 of the Plaintiff's complaint, the Defendants deny  
22 the allegations contained therein as the public records speak for themselves.

23           29. With respect to paragraph 29 of the Plaintiff's complaint, the Defendants deny  
24 the allegations contained therein.

25           30. With respect to paragraph 30 of the Plaintiff's complaint, the Defendants deny  
26 the allegations contained therein.

1           31. With respect to paragraph 31 of the Plaintiff's complaint, the Defendants deny  
2 the allegations contained therein.

3           32. With respect to paragraph 32 of the Plaintiff's complaint, the Defendants deny  
4 the allegations contained therein.

5           33. With respect to paragraph 33 of the Plaintiff's complaint, the Defendants admit  
6 the allegations contained therein.

7           34. With respect to paragraph 34 of the Plaintiff's complaint, the Defendants admit  
8 the allegations contained therein.

9           35. With respect to paragraph 35 of the Plaintiff's complaint, the Defendants admit  
10 the allegations contained therein.

11           36. With respect to paragraph 36 of the Plaintiff's complaint, the Defendants deny  
12 the allegations contained therein.

13           37. With respect to paragraph 37 of the Plaintiff's complaint, the Defendants deny  
14 the allegations contained therein.

15           38. With respect to paragraph 38 of the Plaintiff's complaint, the Defendants deny  
16 the allegations contained therein.

17           39. With respect to paragraph 39 of the Plaintiff's complaint, the Defendants deny  
18 the allegations contained therein.

19           40. With respect to paragraph 40 of the Plaintiff's complaint, the Defendants deny  
20 the allegations contained therein.

21           41. With respect to paragraph 41 of the Plaintiff's complaint, the Defendants deny  
22 the allegations contained therein.

23           42. With respect to paragraph 42 of the Plaintiff's complaint, the Defendants deny  
24 the allegations contained therein.

25           43. With respect to paragraph 43 of the Plaintiff's complaint, the Defendants deny  
26 the allegations contained therein.

1           44. With respect to paragraph 44 of the Plaintiff's complaint, the Defendants deny  
2 the allegations contained therein.

3           45. With respect to paragraph 45 of the Plaintiff's complaint, the Defendants deny  
4 the allegations contained therein.

5           46. With respect to paragraph 46 of the Plaintiff's complaint, the Defendants deny  
6 the allegations contained therein.

7           47. With respect to paragraph 47 of the Plaintiff's complaint, the Defendants deny  
8 the allegations contained therein.

9           48. With respect to paragraph 48 of the Plaintiff's complaint, the Defendants deny  
10 the allegations contained therein.

11           49. With respect to paragraph 49 of the Plaintiff's complaint, the Defendants deny  
12 the allegations contained therein.

13           50. With respect to paragraph 50 of the Plaintiff's complaint, the Defendants deny  
14 the allegations contained therein.

15           51. With respect to paragraph 51 of the Plaintiff's complaint, the Defendants deny  
16 the allegations contained therein.

17           52. With respect to paragraph 52 of the Plaintiff's complaint, the Defendants deny  
18 the allegations contained therein.

19           53. With respect to paragraph 53 of the Plaintiff's complaint, the Defendants deny  
20 the allegations contained therein.

21           54. With respect to paragraph 54 of the Plaintiff's complaint, the Defendants deny  
22 the allegations contained therein.

23           55. With respect to paragraph 55 of the Plaintiff's complaint, the Defendants deny  
24 the allegations contained therein.

25           56. With respect to paragraph 56 of the Plaintiff's complaint, the Defendants deny  
26 the allegations contained therein.

27                           **Affirmative Defenses**

1. Plaintiff has failed to state a claim upon which relief can be granted.
2. Plaintiff lacks any claim under state law which is a pre-requisite to have a debt declared as non-dischargeable.
3. Any damages claimed by the Plaintiff were due, in full or in part, to his own negligence.
4. Plaintiff has failed to make a commercially reasonable disposition of the collateral and is precluded from seeking a deficiency.
5. Plaintiff has failed to mitigate its damages.
6. Plaintiff's claims are barred by the applicable statute of limitation.
7. Plaintiff's claims are barred by laches.
8. Defendants reserve the right to assert additional defenses as the same become known to them through discovery.

Dated: This 22 day of June, 2015

By: 

Michael Lehnert, Esq.  
429 Marsh Ave.  
Reno, Nevada 89509  
Nevada Bar Number 003331

**CERTIFICATE OF SERVICE BY MAIL**

Pursuant to Federal Rule of Civil Procedure 5(b), I certify that on the  
27 day of June, 2015, I deposited for mailing in the United States Post  
Office in Reno, Nevada, with postage thereon fully prepaid, a true copy of the  
within **Answer** addressed as follows:

Joseph G. Went, Esq.  
Holland & Hart Llp  
9555 Hillwood Dr., 2nd Flr.  
Las Vegas, Nv 89134

Timothy Lukus, Esq  
Holland And Hart  
5441 Kietzke Lane, 2nd Flr  
Reno, Nv 89511

  
Dolores Stigall